



127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1568

H.P. 1064

House of Representatives, January 21, 2016

Resolve, Regarding Legislative Review of Portions of Chapter 373: Financial and Technical Capacity Standards of the Site Location of Development Act, a Major Substantive Rule of the Department of Environmental Protection

(EMERGENCY)

Reported by Representative WELSH of Rockport for the Department of Environmental Protection, pursuant to the Maine Revised Statutes, Title 5, section 8072.

Reference to the Committee on Environment and Natural Resources suggested and ordered printed pursuant to Joint Rule 218.

R(+ B. Hunt

ROBERT B. HUNT Clerk

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires 4 legislative authorization before major substantive agency rules may be finally adopted by 5 the agency; and
- 6 **Whereas,** the above-named major substantive rule has been submitted to the 7 Legislature for review; and
- 8 **Whereas,** immediate enactment of this resolve is necessary to record the 9 Legislature's position on final adoption of the rule; and
- 10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within 11 the meaning of the Constitution of Maine and require the following legislation as 12 immediately necessary for the preservation of the public peace, health and safety; now, 13 therefore, be it
- 14 **Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 373: 15 Financial and Technical Capacity Standards of the Site Location of Development Act, a 16 provisionally adopted major substantive rule of the Department of Environmental 17 Protection that has been submitted to the Legislature for review pursuant to the Maine 18 Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.
- Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.
- 21 SUMMARY

This resolve provides for legislative review of portions of Chapter 373: Financial and
 Technical Capacity Standards of the Site Location of Development Act, a major
 substantive rule of the Department of Environmental Protection.